

REMARKS

Claim Rejections

Claims 1 and 3 are rejected under 35 U.S.C. § 102(e) as being anticipated by Denmeade (U.S. 2004/0017548). Claim 2 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Denmeade in view of Yamauchi (U.S. 6,388,881). Claim 4 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Denmeade in view of Dolgoff (U.S. 5,300,942). Claim 5 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Denmeade in view of Dolgoff and further in view of Olsen (U.S. 2004/0041989).

Drawings

The Examiner has objected to the drawings under 37 C.F.R. § 1.83(a) insofar as the fastener, referred to in Applicant's claim 2, was not discussed in the specification. Since the term has been deleted from Applicant's new claims, it is not believed that any drawing corrections are necessary.

It is noted that no Patent Drawing Review (Form PTO-948) was received with the outstanding Office Action. Thus, except as discussed above, Applicant must assume that the drawings are acceptable as filed.

Amendments to Specification

Applicant has amended the specification as noted above to delete reference number 7. No "new matter" has been added to the original disclosure by the foregoing amendments to the specification.

New Claims

By this Amendment, Applicant has canceled claims 1-5 and has added new claims 6-10 to this application. It is believed that the new claims specifically set forth each element of Applicant's invention in full compliance with 35 U.S.C. § 112, and define subject matter that is patentably distinguishable over the cited prior art, taken individually or in combination.

The new claims are directed toward an integrated projector comprising: a body (1) having a projector circuit located on an interior thereof and a projection lens protruding externally from the body; a video interface (3) connected to the body and receiving video signals; and a video player (4) connected to the body; a wireless audio circuit (13) located on the interior of the body and a plurality of wireless speakers (5), the wireless audio circuit controlling the plurality of wireless speakers; a wireless receiving circuit (14) located on the interior of the body, the projector circuit being electrically connected to the video interface, the video player, the wireless audio circuit, and the wireless receiving circuit; and a remote controller (6) controlling the projector circuit through the wireless receiving circuit, wherein the remote controller controlling the video interface, the video player, and the wireless speakers through the projector circuit.

Other embodiments of the present invention include: the video player is a DVD player; the video player is integrally connected to the body; the video player is removably connected to the body; and a card reader (2) connected to the body and reading data from a memory card, the remote controller controlling the card reader through the projector circuit.

The primary reference to Denmeade teaches a general set of controls (18) located on the housing (19). A remote control (24) can be incorporated. However, the functions of the remote control are not disclosed.

Denmeade does not teach a wireless audio circuit located on the interior of the body and a plurality of wireless speakers, the wireless audio circuit controlling the plurality of wireless speakers; the projector circuit being electrically connected to the video interface, the video player, the wireless audio circuit, and the wireless receiving circuit; a remote controller controlling the projector circuit through the wireless receiving circuit; the remote controller controlling the video interface, the video player, and the wireless speakers through the projector circuit; nor does Denmeade teach the remote controller controlling the card reader through the projector circuit.

It is axiomatic in U.S. patent law that, in order for a reference to anticipate a claimed structure, it must clearly disclose each and every feature of the claimed structure. Applicant submits that it is abundantly clear, as discussed above, that

Denmeade does not disclose each and every feature of Applicant's new claims and, therefore, could not possibly anticipate these claims under 35 U.S.C. § 102. Absent a specific showing of these features, Denmeade cannot be said to anticipate any of Applicant's new claims under 35 U.S.C. § 102.

The secondary reference to Yamauchi et al. teaches a vehicle center cluster assembly and is cited for teaching a DVD player that can be removed.

Yamauchi et al. do not teach a body having a projector circuit located on an interior thereof and a projection lens protruding externally from the body; a card reader connected to the body and reading data from a memory card; a video interface connected to the body and receiving video signals; a wireless audio circuit located on the interior of the body and a plurality of wireless speakers, the wireless audio circuit controlling the plurality of wireless speakers; a wireless receiving circuit located on the interior of the body; the projector circuit being electrically connected to the video interface, the video player, the wireless audio circuit, and the wireless receiving circuit; a remote controller controlling the projector circuit through the wireless receiving circuit; the remote controller controlling the video interface, the video player, and the wireless speakers through the projector circuit; nor do Yamauchi et al. teach the remote controller controlling the card reader through the projector circuit.

The secondary reference to Dolgoff teaches a projections system and is cited for teaching wireless speakers.

Dolgoff does not teach a video player connected to the body; a wireless receiving circuit located on the interior of the body; the projector circuit being electrically connected to the video interface, the video player, the wireless audio circuit, and the wireless receiving circuit; a remote controller controlling the projector circuit through the wireless receiving circuit; the remote controller controlling the video interface, the video player, and the wireless speakers through the projector circuit; nor does Dolgoff teach the remote controller controlling the card reader through the projector circuit.

The secondary reference to Olsen et al. teaches an image-rendering device and is cited for teaching a Bluetooth receiver.

Olsen et al. do not teach a video player connected to the body; a wireless receiving circuit located on the interior of the body; the projector circuit being electrically connected to the video interface, the video player, the wireless audio circuit, and the wireless receiving circuit; a remote controller controlling the projector circuit through the wireless receiving circuit; the remote controller controlling the video interface, the video player, and the wireless speakers through the projector circuit; nor do Olsen et al. teach the remote controller controlling the card reader through the projector circuit.

Even if the teachings of Denmeade, Yamauchi et al., Dolgoff, and Olsen et al. were combined, as suggested by the Examiner, the resultant combination does not suggest: the projector circuit being electrically connected to the video interface, the video player, the wireless audio circuit, and the wireless receiving circuit; a remote controller controlling the projector circuit through the wireless receiving circuit; the remote controller controlling the video interface, the video player, and the wireless speakers through the projector circuit; nor does the combination suggest the remote controller controlling the card reader through the projector circuit.

It is a basic principle of U.S. patent law that it is improper to arbitrarily pick and choose prior art patents and combine selected portions of the selected patents on the basis of Applicant's disclosure to create a hypothetical combination which allegedly renders a claim obvious, unless there is some direction in the selected prior art patents to combine the selected teachings in a manner so as to negate the patentability of the claimed subject matter. This principle was enunciated over 40 years ago by the Court of Customs and Patent Appeals in In re Rothermel and Waddell, 125 USPQ 328 (CCPA 1960) wherein the court stated, at page 331:

The examiner and the board in rejecting the appealed claims did so by what appears to us to be a piecemeal reconstruction of the prior art patents in the light of appellants' disclosure. ... It is easy now to attribute to this prior art the knowledge which was first made available by appellants and then to assume that it would have been obvious to one having the ordinary skill in the art to make these suggested reconstructions. While such a reconstruction of the art may be an alluring

way to rationalize a rejection of the claims, it is not the type of rejection which the statute authorizes.

The same conclusion was later reached by the Court of Appeals for the Federal Circuit in Orthopedic Equipment Company Inc. v. United States, 217 USPQ 193 (Fed.Cir. 1983). In that decision, the court stated, at page 199:

As has been previously explained, the available art shows each of the elements of the claims in suit. Armed with this information, would it then be non-obvious to this person of ordinary skill in the art to coordinate these elements in the same manner as the claims in suit? The difficulty which attaches to all honest attempts to answer this question can be attributed to the strong temptation to rely on hindsight while undertaking this evaluation. It is wrong to use the patent in suit as a guide through the maze of prior art references, combining the right references in the right way so as to achieve the result of the claims in suit. Monday morning quarterbacking is quite improper when resolving the question of non-obviousness in a court of law.

In In re Geiger, 2 USPQ2d, 1276 (Fed.Cir. 1987) the court stated, at page 1278:

We agree with appellant that the PTO has failed to establish a *prima facie* case of obviousness. Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching suggestion or incentive supporting the combination.

Applicant submits that there is not the slightest suggestion in either Denmeade, Yamauchi et al., Dolgoff, and Olsen et al. that their respective teachings may be combined as suggested by the Examiner. Case law is clear that, absent any such teaching or suggestion in the prior art, such a combination cannot be made under 35 U.S.C. § 103.

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Neither Denmeade, Yamauchi et al., Dolgoff, and Olsen et al. disclose, or suggest a modification of their specifically disclosed structures that would lead one having ordinary skill in the art to arrive at Applicant's claimed structure. Applicant hereby respectfully submits that no combination of the cited prior art renders obvious Applicant's new claims.

Summary

In view of the foregoing amendments and remarks, Applicant submits that this application is now in condition for allowance and such action is respectfully requested. Should any points remain in issue, which the Examiner feels could best be resolved by either a personal or a telephone interview, it is urged that Applicant's local attorney be contacted at the exchange listed below.

Respectfully submitted,

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